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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,946	02/14/2002	Gary D. Shives	P2005-1	3411

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EXAMINER

SAINT SURIN, JACQUES M

ART UNIT	PAPER NUMBER
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2856

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/076,946

Applicant(s)

SHIVES ET AL.

Examiner

Jacques M Saint-Surin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-27 is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Response to Amendment***

1. This Office Action is responsive to the amendment of 05/20/04.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

3. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Chennell et al. (US Patent 6,484,583).

Regarding claim 1, Chennell et al. ('583) discloses an apparatus for inspection (ultrasonic inspection apparatus 40, see: Fig. 3) of a cylindrical carbon article, comprising: a yoke (yoke 42, see: Fig. 3 and col. 3, line 49) including first and second spaced branches (first arm 46 and second arm 48, see: col. 3, lines 49-52); a robotic arm assembly (retractor 64, see: col. 4, line 7), having the yoke (42) attached thereto, the robotic arm assembly (64) being movable between an operating position wherein the yoke is received about the article, and a withdrawn position wherein the yoke is removed from the article; and a pair of transducers (50 and 52), attached to the first and second branches (46 and 48) of the yoke (42), respectively, and arranged to operatively interact with the article at circumferentially spaced positions about the article when the robotic arm assembly is in its operating position (the positioning step 94 is accomplished by placing one of the arms, here the second arm 48, adjacent to the interior surface 28, the other of the arms, here the first arm 46, adjacent to the exterior surface 30, and the base 44 extending through the access opening 26,

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numeral 96; in cooperation with this placing step 96, the retractor 64 is operated as necessary, numeral 98, to retract the second ultrasonic transducer 52 so that the two ultrasonic transducers 50, 52 may be moved laterally across the exterior surface 30 and the interior surface 28, respectively (col. 4, lines 50-60).

Regarding claim 2, Chennell et al. ('583) discloses a first ultrasonic transducer 50 is affixed to the first arm 46; a second ultrasonic transducer 52 is in facing relation to the first ultrasonic transducer 50, a spring mount 54 attaches the second ultrasonic transducer 52 to the second arm 48 so that the second ultrasonic transducer 52 is in facing relationship to the first ultrasonic transducer 50 (col. 3, lines 59-64).

Regarding claim 3, Chennell et al. ('583) discloses the retractor 64 is operated as necessary, numeral 98, to retract the second ultrasonic transducer 52 so that the two ultrasonic transducers 50, 52 may be moved laterally across the exterior surface 30 and the interior surface 28, respectively; when the proper positioning is reached, the retractor 64 is released, numeral 100, so that the two ultrasonic transducers 50, 52 are in a facing relation to each other with the wall 24, formed of the piece of composite material, captured therebetween, see: col. 4, lines 55-64.

Regarding claim 5, Chennell et al. ('583) discloses the retractor 64 is preferably a manual retractor in the form of a lever arm 66 pivotably attached to the second arm 48 at a pivot point 67, see: col. 4, lines 8-10.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 4, 11-14 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chennell et al. (US Patent 6,484,583) in view of Collins et al. (US Patent 3,780,570).

These claims differ from Chennell et al. by reciting each of the transducers is a roller transducer which is rotatable about an axis generally parallel to a length of the article. Collins ('570) discloses the conveyor 20 normally includes a pair of side rails 22 and a plurality of rollers 24 that extend between the side rails 22; these rollers 24 define a moving surface for supporting the panels 12 and may be free running or power driven whereby the panel 12 can be carried along the conveyor 20 at a high rate of speed (see: col. 3, lines 12-19). It would have been obvious to one having ordinary skill

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in the art at the time of the invention to utilize in Chennell the rollers of Collins because the rollers are adapted to roll across the surface of the article thereby providing a reliable inspection.

6. Claims 6-10 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chennell et al. (US Patent 6,484,583) in view of Mizzi (US Patent 5,770,913).

These claims differ from Chennell et al. by reciting a master robot and a slave robot. Mizzi discloses Fig. 16 shows a method for autonomous robots A, B and C are robots on work area 110 where M is the master station S1 and S2 represent two slave stations (see: col. 11, lines 11-14. Mizzi further discloses a yoke member 2 (col. 6, line 5) and vibratory transducers 17 and 19 (see: Fig. 4 and col. 7, lines 45-46. It would have been obvious to one having ordinary skill in the art at the time of the invention to utilize in Chennell et al. the techniques of Mizzi because it would provide a master station and a slave station for performing the same service for one or more free ranging robots which have no inherent inertial reference thereby making the above combination very effective.

Allowable Subject Matter

7. Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 21-27 are allowable over the prior art of record.

Response to Arguments

9. Applicant's arguments filed 05/20/04 have been fully considered but they are not persuasive. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

10. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques M Saint-Surin whose telephone number is (571) 272-2206. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on (703) 305-4705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).




Jacques M. Saint-Surin
July 22, 2004

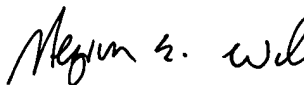
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Jacques M. Saint-Surin
July 22, 2004


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